LEAGUE COVENANT DANGERS LAID BARE IN SENATOR REED'S ADDRESS

REED SHOWS BRITISH GRIP ON THE LEAGUE

Continued from Pirst Page.

the continent the President would conto them an intimate and concise proposes to force the country and that would make plain to them every

cles under which our country has "If he declines to turn his back on Whahington and Jefferson he is described as afflicted 'with curious aber-

rations of thinking.
"If he refuses to surrender with the pen what Washington gained with the sword he is politely described as a con-

temptible quitter."
"If he cannot see his way clear to embroil America in the wars of every country and to plunge her into contro versics of every land he sees with Jaun-diced eyes. If he ventures to point out that Article N. binds us to send our soldiers to defend the frontiers of every land in every quarter of the globe he is 'afflicted with amazing ignorance.' "If he looks with pride upon the glo-

achievements of America's past and refuses to abandon the policies which have brought us to the height of prosperity, he is a 'dreamer, living in the forgotten age.' If, after studyng league covenant lawyers and states-a reach the conclusion that it is in-cal to the public weal they are classfied as men 'whose heads are only fit to serve as knots to prevent their bodies from unravelling."

"If Senators of the United States protect the Republic in strict accordance with the terms of their oaths, study the or consent to its ratification they are denounced as 'dishonest opponents' ficials shall enjoy diplomatic privileges and immunities.' (Art. VII.)

who will regret that the gibbet as and immunities.' (Art. VII.)

"The temporary capital buildings have high." Or again, they are informed, as already been secured. The grounds for the weeks ago, that he would like to Soon we may expect to see the buildings see them 'hung on a gibbet as high as of the world capital in process of secu-Heaven but pointed in the opposite direc-

soker will recognize only the vapors anger; the temperance autocracy inifests at opposition.
"If I could be so unkind as to reply

kind I might answer that of course e President does it all unconsciously when wrought upon by the 'new magic And that he substitutes fancies for confuses the phantasms of his dreams with the actualities of life, mis-takes the visions of ambition for the inspiration of idealism and imagines that phrases can take the place of

"The President talks much of duty of sacrifice, but even while he speaks, he, at Government expense, rides on spe-cial trains; sails upon magnificent ships fitted with special glass pavilions; lives in the palaces of princes, receives pres-ents from foreign nobility worth hun-dreds of thousands of dollars; comman-

rmed Germany and dismembered Aus-

"Asserting that the league will bring "The league possesses the power or ship army of half a million men."

"Asserting army of half a million men."

"The league possesses the power or bring with both hands territories, possesses army of half a million men."

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"The league possesses the power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, possesses are power or bring with both hands territories, power or bring with both hands territor waining. Proclaiming that the day has some when swords will be beaten into ghshares, he demands a great navy. advocates freedom of the seas, but ents that England shall remain mis-

tress of the waters of the world.
"He chafes at being kept at his Presidential duties in Washington when he has been in this country only sixty days in the past nine months. He makes a speech declaring his own opinions and he next day asserts that his own speech a solemn instruction by the people which he is dutifully carrying enounces secret treaties yet seeks to engage his country in a contract ratifying and confirming secret and treaties by which our own allies been despoiled. He preaches open He preaches open covenants openly arrived at yet goes into secret couclaves and seizes cable lines and permits a censorship of Euro-

Calls Statement Infamous.

"He refuses to inform the Senate conpleading that he would thereby disclose arrassment, although the public statement of the Japanese statesmen that Wilson and House had both voted with Japan on racial equality for weeks ias gone unchallenged and undisputed. cause the members of the Senate have not in answer to his dictation immedi-ately approved the treaty he has in subconspiring with Germany, a countries with which we are technically still to as

t were in the hands of the great bankers delay yet his adherents in the Senate thirds vote to admit into the league or drawl is found in the last paragraph by a one-third vote exclude from the of Article I. That article throughout publication in the Congressional Record membership of the league any of the deals with the question of league membership of the treaty. He compiles of delay with the question of league membership of the treaty. He compiles of delay with the question of league membership of the treaty. He compiles of delay with the question of league membership of the treaty. He compiles of delay with the question of league membership of the treaty. treaty. He complains of delay, garia, Germany and Russia. These "(a) Who withheld from the Senate the States are all populated by white peoyet he withheld from the Senate the French treaty which by express terms was to be laid before the Senate at the mame time the German treaty was submitted. He complains of delay, yet he even now withholds documents important to the proper understanding of the treaties pending before the Senate.

"I shall undertake to demonstrate six "It is provided in the League Coven-"

(c) That certain favored states mamed in the annex may become mamed in the annex may become shall join within two months after the league becomes feetive. Otherwise they apparently forfeit their right to become members and fall into the class I, next name.

"I shall undertake to demonstrate six "It is provided in the League Coven-"

(c) That any other "self-governing of the world."

subject to its governing control.

"2. That it has the power of self-extension both as to its membership and aggregate population of 21,552,552 per-

its jurisdiction.

"I. That it possesses a supreme jurisdiction over all matters international and over many purely national rights

prived of their sacred rights in defiance of the will of their people or Govern-"5. That non-member States may be forced to obey the nundates of the super-State even though their inhabi-

terests and lack every essential of courts or tribunals of justice.

"The league establishes a superstate The league establishes a superstate.

The league when consummated, will constitute a distinct entity with every element of an independent and sovereign power or state. "It will possess:--(1) A permanent

capital seat of government.

"(3)—A membership composed of col-onies, dependencies and nations. "(4)—Governing bodies, composed of the representatives of the members. "(5)—A permanent organized body called a secretariat. "(6)-Authority of control or com-

mand over matters embraced within a throughout the world. broad jurisdiction expressly granted.

"(7)—Force to execute its commands, No Limit to M judgments and decrees.

"The league possesses a capital or seat of government, with the power to change and move this capital at will. The seat of the league is established at Geneva. The council may at any time decide that the seat of the league shau be established elsewhere. Representa osed covenant and reach the con-tives of members of the league and on that it is their duty not to ad-officials, the buildings and other property occupied by the league or its of

se them 'hung on a gibbet as high as of the world capital in process of erec

It is the visible 'national standard.' seeds. The President marshals his syl-orisms as a general marshals the bat-has always been regarded as an insult seeds. The result of the part of the power it typings. According to the power it typings. age of denunciatory epigrams.

"Yet after it has passed the calm Predominance of British Empire.

I have adverted, they are aggravated by the circumstance that the British Empire is given directly and immediately six times as many votes as the States. This is accomplished by allowing a membership and a vote for Can ada, Australia, Newfoundland, South Africa and India. Each of the countries named, while constituting only a fractional part of the empire, is given a full vote. At the same time the empire, composed in part of these fractions, is given a full vote. "The absurd result is that a semi-bar-

barous Bedouin has a representation in Chinaman. Likewise a partly civilized or negro from Liberia has representation

deers entire hotels; summons armies of the most powerful nations to subject by the countries and dependent colonies; ranging in civilization from the basest barism to the most advanced culture; in the countries and the countries and dependent colonies; ranging in civilization from the basest barism to the most advanced culture; in the countries and the countries are countries and the countries and the countries are countries are countries are countries are countries are countries and the countries are count keep of his retainers. He compels
American taxpayers to furnish their
d and to wash their dirty linen. He
from the divine doctrines of Christianity talks of sacrifices, but the sacrifices are to the child sacrifices of voodootsm; in to be made by American boys who government from the democracy of lib-perish in the snows of Siberia, or yet to die beneath the sun of the equator. chains and slavery, the membership pre-sents an inharmonious blending of di-vergent races, conditions and civiliza-

crippled, diseased. We accumulate the full membership self-governing debt of \$20,000,000,000. We dis-Germany and dismembered Aus-Britain can at any time furnish a large "Having done all this, if we now say that the time has arrived to bring our soldiers home and to begin looking after British Empire alone has an abundance as we form the league, and while the manufacture of the completely under her soldiers home and to begin looking after British Empire alone has an abundance as we form the league, and while the manufacture of the complete of the

"(1) hereafter created.

France, Italy, Japan and the United States; (b) four temporary or remova-ble members. The present temporary members are the representatives of Bel-gium, Brazil, Greece and Spain; (c) ad-ditional members which may be created "Any member of the league m ditional members which may be created as hereinafter pointed out (Article IV). after two years notice of its intention

"(3) the secretariat. secretariat shall comprise a secretary general and such secretaries and staff as may be required' (Article

Power of the Assembly.

"It has been frequently asserted and widely published that the assembly possesses no power of importance; that it is in fact little more than an interlittle more than an inter-debating society and that national debating society' therefore its membership is of little con-

equence.
This is the special defence offered to the protest against the six votes allowed the British Empire, it being asserted that the rive votes allowed the British dominions and colonies will not count for anything of importance, stance charged them with treasonable cause, according to the claim, they are intimating that they are votes only to be cast in the assembly That body is contemptuously referred to as 'largely a debating society.'

"He goes about the country denounc- largely a debating body and seldom ing the Senate for the delay in passing will act on important questions, and upon the treaty, yet he refused to give when it does the United States, with its to the Senate the practically completed one vote, will have absolute veto under upon the treaty, yet he retused to the Senate the practically completed one vote, will have absolute veto under the relative of the treaty although it was in the rules requiring a unanimous vote. obligations and all its obligations under the rossession of all the chancellories of "I shall later show that the Assembly the covenant."

"I shall later show that the Assembly the covenant."

"An examination of the context of the "An examination of the context of the treaty although its obligations under the rossession of all the chancellories of "I shall later show that the Assembly the covenant." Berlin and authenticated copies of for the present I challenge attention to language just quoted seems to make the were in the hands of the great bankers the fact that the present membership of answer perfectly clear. It will be ob-

sought to be created be described as a Netherlands. Norway, Sweden, Switzer-league, a confederation, or an empire, it nevertheless sets up a superstate with rights, powers and authorities superior to those of its constituent members who upon acceptance of membership become willinguess to join, but the other States

They are among the most intelligent and highly educated people on earth, the illiteracy being less than 4 per cent. In addition to the foregoing following States have been invited to join: Argentine Republic, Chill, Colom-bia, Parguay, Peraia, Salvador and Venezuela, with a total population of 32,205,000

join within the sixty days specified, ther super-State even though their inhabi-tants unanimously protest.

"6. That the bodies authorized to de-one-third vote. In that event it would cide these important questions are she within the power of the present mem-purely political, controlled by self in-bership to admit or exclude from membership the vast majority of the natio

"This power to admit into the league all these mighty nations or to rejecthem, in the latter instance by a one third vote, is the power to force us as partners some of the nations with which we have been recently at war even though they may not have purget

"Upon the other hand, it is the power to unwisely exclude these and the non offending nations and to force all of the outside nations to unite themselves into an offensive and defensive alliance, thus separating the world into two great angonistic organizations. Under such additions a single spark struck, even in a remote and barbarous country, may start a conflagration which will blaze

themselves of their offences.

No Limit to Membership.

But in addition to the states name the league has the express right to re-ceive other states. It is specifically

"'Any fully self-governing state, minion or colony not named in the league if its admission is agreed to by two-thirds of the assembly.' (Art I.) "Under the broad authority thus granted there is no limit to the bership which may be admitted except the lack of raw material. "The assembly has the power to dic-

tate the guarantees which shall, begiven by applicants for membership. The language of the covenant is: "Any fully self-governing state, do minion or colony not named in the annex may become a member of the league if its admission is agreed to by two-thirds of the assembly; provided, that it shall give effective guarantees of its sincere intention to observe its inational obligations and shall accept

such ratifications as may be prescribe

by the league in regard to its military naval and air forces and armaments. The power to receive or reject ap plications for membership and the power to prescribe the nature and the character of the guarantees are found in a single septence. Clearly the right to determine all these questions is lodged in the as-sembly. The power to prescribe the nature and character of the guarantees

may be so employed as to influence the conduct of any state seeking member-ship.
"What will constitute effective guarantees rests wholly in the decision of the assembly. Should a state in dire necessity come into the league guarthe league 366 times as great as any ture as to practically render it a vassa American and 1,356 times as great as a state or leave it so completely disarmed or crippled as to be without effective power of defence. It might be required to dismantle fortresses, to concede the "Embracing every kind of state, from control of navigable waters, or to ever

How Power Might Be Used.

"The power thus lodged is manifestly great and important one which can e so employed to the advantage of the minant element in the league. at the Marne, broke their attack at Chateau-Thierry, rolled them back at the Argonne and forced their representatives to the surrender at Paris. Our armies to the surrender at Paris. Our armies the surrender at Paris of the su friendly to that element can be admitted upon generous terms; states unfriendly excluded or required to give such guar-excluded or required to give such guar-if agreed to by two-thirds vote of the "The results indicated may be re- assembly,"

*To accomplish this work we left 50,600 dead in France and sent staggering
over our land another 50,000 brave men
blind, crippled, diseased. We accumulate the right to admit into full membership self-governing dealings nations have continuously held therefore my judgment that the decision interests. He who imagines that a membership in the league will change this

the wants of our own people, we are of raw material out of which to create respective nations are proclaiming ambing with both hands territories, peo- its obligations.

of the American people, charged with (a)—Voting representatives of each of eats, we close our eyes to the plain facts the present members; (b) one repre- of life and refuse to have regard for sentative of each member of the league the leasons of history, we prove our-

seives not only dreamers but fools.
"The assembly can deny any state "(2) The council, the membership of with his divided into three classes:—
(a) the permanent membership, namely, the representatives of Great Britain, assembly to decide whether the withdrawing state has fulfilled all its 'in ternational obligations and its obligations under the covenant.' The provision regarding the withdrawal of mem-

> so to do, withdraw from the league, provided that all its international obliga ions and all its obligations under povenant shall have been fulfilled at the time of its withdrawal.' Article I.

State Entitled to Judge.

"It will not be seriously contended that the state desiring to withdraw is entitled to decide for itself whether it has fulfilled all its international obligations and its oblgations under the covenant. Such a construction would deny to the and would leave the case so that a state which had broken every obligation under the covenant and every precept of international law could also without restriction throw off its obligations of

membership.

That is a denial of the very purpose

That is a denial of the league, namely, that it is called into existence with which we are technically still to as 'largely a denating society.

"In his speech at Sopkane of September ments for the will of individual nations."

The statement is as false as it is 'a president is quoted as saying:

"The League of Nations assembly is the power of decision is therefore vested to prevent war by substituting its judgments for the will of individual nations."

"The League of Nations assembly is the power of decision is therefore vested to prevent war by substituting its judgments." in the league. The question then arises what tribunal of the league is to determine whether the applicant for withdrawal has fulfilled all its international

ligation on the part of the United

"(a) Who the original members

the league are.

"(b) That certain favored states though we have not fulfilled our obliof the teague, but to the peace and sarety to the peace and sarety of the teague we agree:

"I shall undertake to demonstrate six propositions:

"I that whether the entity now in the league of the world.

"It is provided in the League Covenant that the following European nations and that the following European nations may join as of right, namely, Denmark.

"When we enter the league we agree:

"(a) To stay for at least two years;

state, dominion or colony may become the state, dominion or colony may become the state and fall into the class I, next name.

"(a) To stay for at least two years;

the teague we agree:

"(a) To stay for at least two years;

the teague we agree:

"(a) To stay for at least two years;

the teague we agree:

"(b) that we will fulfil all our international transfer in the class of the teague we agree:

"(a) To stay for at least two years;

the teague we agree:

"(b) that we will fulfil all our international transfer in the class of the teague we agree:

"(c) That any other self-governing and the class of the teague we agree:

"(a) To stay for at least two years;

the teague we agree:

lations by the league' in regard to "i obligations and all its obligations under the covenant shall have been full filled at the time of withdrawal. It will be noticed that the entire article deals with the question of membership and that the only tribunal authorised by the article to take any action whatsover is gard them as blinding upon the faith of the assembly. It seems perfectly clear, therefore, that the assembly, and it alone has the power to decide whether a withdrawing member has fulfilled its

Arriving at a Decision. "It being clear that before a State can withdraw the assembly must de-cide whether or not it has 'fulfilled all its national obligations and all its ob-ligatioen under the covenant, the ques-

tion arsies must the assembly arrive at "(a)—By a two-thirds vote;
"(b)—By a unanimous vote; or

"(c)—Is a majority vote sufficient?
"Before we can answer this vital question we must determine whether the vote is governed by the porvisions of Article I. or Article V., and if by the latter, whether the question is one involving a decision or whether it is a mere 'matter of procedure,' in the former case a unanimous vote being required and in the latter only a majority vote. As has been said, Article I. treats with the single subject of membership and contains this clause:

"'Any fully self-governing state, minion or colony not named in the annex may become a member of the league if its admission is agreed to by two-thirds of the Assembly.' Plainly enough a two-thirds vote can admit a member. But does the provision cover the last paragraph of Article I, which Plainly bly provides for the withdrawal of members, or is the withdrawal covered the terms of Article V., which reads:

"'Except where otherwise expressly provided in this covenant or by the terms of the present treaty, decisions at any meeting of the Assembly or of the at the meeting. All matters of procedure at meetings of the Assembly or of the Council, including the appointment of it is expressly stated that: These four committees to investigate particular matters, shall be regulated by the As- (as members of the council) by the Assembly or by the Council and may be sembly from time to time in its discredecided by a majority of the members "It seems to me that it can hardly be

bligations under the league, and all its international obligations can scarcely be regarded as a mere 'matter of precedure.'

It involves a decsion of both law and fact, and is of a highly judicial character, whereas matters of procedure relate generally to the manner of conducting. ods of pleading, introduction of evidence, unanimous for Article IV., which gives and so forth, and is substantially synthespecific power of election, fails to specify onymous with the words 'practice' or the

must reject any thought that a state can be permitted to withdraw by a me

"It remains to inquire whether the two-thirds vote provided for in Article "Turning to Article I, we find that the very language itself which provides for It reads: 'If the admission is agreed to by two-thirds of the assembly. To no other parts or provisions of that article does the language seem to apply. order to make it apply to the with-drawal of members we must change the language by writing into it: 'Any fully self-governing dominion or colony not named in the annex may become a mem-

language of the covenant is governed by the general provision from time to time, in its discretion. Is of Article V. and requires a unanimous a mere fraud put upon the world. vote.

"It is clear that if once we enter this league we cannot escape its thraldem unless we can secure the gracious permission of every member of the Assem bly. In that case any State, however insignificant, by the casting of a single negative vote could deny the United States the right of withdrawal by refusing to concur in the unanimous decision that the United States had "fulfilled all

Again Quotes President.

"I am aware of the fact that the President in his interview with the Foreign Relations Committee took the opposite view, holding to the doctrine which is to me astonishing that the right of withdrawal is absolute, and that 'it is unconditional, so far as the legal or the moral right (of withdrawal) is con-Senator Reed then quotes from the

hearings before the Foreign Relations Committee on the treaty: Senator Borah-Who passes upon the estion of the fulfilment of our international obligations, upon the question whether a nation has fulfilled its international obligations?

The President-Nobody. Senator Borah-Does the council have anything to say about it?

The President-Nothing whatever. Borah-Then Senator Borah-Then the country should give notice of withdrawal, it would be the sole judge of whether not it had fulfilled its international of ligations-its covenants-to the league? The President-That is as I under-The only restraining would be the public opinion of the world Senator Borah-Precisely; but if the United States should conceive that it had fulfilled its obligations, that question could not be referred to the council in any way, or the council could not be called

The President-No. Senator Borah-Then after, I under-stand, when the notice is given the right to withdrawal if unconditional? The President-Well, when the notice given it is conditional on the faith the conscience of the withdrawing period.

Senator Borah-Precisely; but it is

States to observe any suggestion made The President-Oh, no. "If this view is correct," resumed Mr. Reed, "then it applies equally to the whole of the membership obligation. Moreover, if we have the right at the end of two years to withdraw without

gations under the covenant, then we can withdraw at any time before the period

assembly upon giving effective guarunder the covenant; (c) that our right of withdrawal ir dependent upon giving away they were striving to obtain every fact that it is provided—
"Guaranties that it will accept 'regua two years' notice of our intention to lations by the league' in regard to "its withdraw."

fore the smake of carnage had cleared, it is necessary to call attention to the away they were striving to obtain every possible advantage.

"These same selfah impulses and disputes arising under sections 12, 13

lations by the league' in regard to "its military, naval forces and armaments."

"The foregoing clause is immediately followed by the provision that any income of the league may withdraw ster two years notice of its intention so to do, provided that all its international one of the obligations of the league.

alone has the power to decide whether a withdrawing member has fulfilled its obligations.

"If the right to withdraw without having fulfilled the obligations under the league is circumscribed by 'only the restraining influence of the public opinion of the world, then truly the entire together may be broken at any moment without any notice whatsoever by the withdrawal of any one or a dozen na tions, even though they have not ful-filled their obligations under the league or their international obligations. All this may be done without incurring any fluence of the public opinion of

> "In my humble judgment the con-struction contended for is unsound. But if it be sound, and if it be the view of the President, then be plainly written into the it should "I venture the assertion that the proponents of the league will lift their liands in horror and their voices in protest against an amendment chall clearly express the right of each nation to decide for itself whether it has fulfilled its international obligations and its obligations under the league and thereupon to withdraw without the let or hindrance and without the decision of either the council or the assem

Further Powers of Assembly.

"The Assembly has the power to elecfour of the nine members of the Courcil and thus make that body subservice to its will.

"As previously stated there are five permanent members of the Councillamely, the representatives of the Br ist. Empire. France, Italy, Japan and the United States. There are four tem-porary or removable members. The tem-porary members are the representatives of Belgium, Brazil, Greece and Spain, members of the league shall be selected (as members of the council) by the As-(article IV.)

tion, (article IV.).
"The article continues: 'Until the ap-"It seems to me that it can hardly be claimed that the question whether a withdrawing state has fulfilled all its gium. Brazil. Greece and Spain shall be

In law it applies to the meth-by the council, then the vote must be sading, introduction of evidence, unanimous for Article IV., which gives the kind of vote which shall be give in order to result in an election.

Could Not Be Ousted.

"If the election requires a unanimous vote, then the absurd result follows that ithough Belgium, Brazil, Greece and Spain are only named as temporary nembers of the council, and although it porary members of the council 'shall be selected by the Assembly from time the four temporary members when they have once been instaled can never be

removal by toining in a unanimous vote select another state as its successor. "Accordingly, if the unanimous vote rule applies, then each of these States so "Accordingly, if the unanimous vote the council to the assembly."

The applies, then each of these States so named as temporary members of the council are in fact seated there forever. This construction would force the concil in the inguage is: "If there should clusion that the language inserted in Article IV. These four members of the league any dispute likely to lead to a league and effect of a unanimous decision of the council.

"Jerry true, but at the same time we acquire the right under Article XI. to mind the business of the under Article IV.

"In a controversy between the right under Article XI. to mind the business of the other nations of the council."

"Jerry true, but at the same time we acquire the right under Article XI. to mind the business of the under Article XI. to mind the business of the under Article XI.

"Upon the other hand, if the election of the league agree that they will subcan be regarded as a matter of procedure, which I think is the better view." Any party to the dispute may efthen the assembly may proceed by a ma- fect such submission by giving notice jority vote. It follows that a simple of the existence of the dispute to the majority of the assembly can easily secretary general. &c (Article XV.).

"The submission to the council is elect at will four out of the nine mem- therefore an absolute right, and may be ers of the council can be easily so em-

"A simple illustration will suffice. is inconceivable that the majority of the assembly should unite in electing members of the council unless making a either one of two processes: part of that majority and probably directing its action would be found one or two great States, already represented among the permanent members of the council. In that event the election of four additional members would assure a majority, and in the event that all of the five nations permanently repre-sented on the council were to act in accord in the election of the four temporary members they could in this way fused to be subservient to their will and in their stead others that join them in some desired unanimous

"The statement just made will be event the United States would not be is clear: harmed, because the result referred to would only be brought about with her icquiescence. A moment's considera-ion, however, will show that circumof the assembly could be employed to deprive us of a fair decision by the

council in matters vital to our interests In Event of Controversy.

"Assume that a controversy between the United States and Great Britain is mpending and that the four temporary he United States, whereas the United States, whereas the United States, whereas the United States, are friendly to her. Assume further that the nations just named are able to command, as they would probably be. A majority of votes in the assembly. That all the account of the immediately called into the immedi

cure a unanimous decision. A refusai prejudiced. To assume that any other on our part to obey would result in bringing upon us the united power of all assert the incompetency of the contend-the nations of the world solidified and bound together in the league.

"It is now important to inquire what is bound together in the league.

they did not hesitate to make secret cision of the members of the council treaties, betraying their own allies. Betreaties, betraying their own allies. Be-

each will seek to place its friends, satellites and dependencies in positions of power so that if any question shall arise it will find itself stoutly fortified and prepared to secure a favorable de-cision. The British Empire is already fortified.

"Upon many questions of vital imand for naught hold the unanimous decisions of the council. It can completely paralyze the council in its most impor-tant functions. This may be accom-plished by any fourteen members of the Assembly, fourteen being a majority of right to take such action as they shall tive of Hedjaz, in the pay of Gres the non-council members of the As-

Settlement of Disputes.

"The most important functions of the league, indeed, the functions which afforded the most substantial argument for its existance, are the provisions re-lating to the settlement of international disputes. The machinery for the carrying out of these objects constitutes a set forth in Articles XIL, XIII., XV. and NVI. It will require some patience to straighten out the tangled skein. It is a very labyrinth of words. Neverthe-less, the task is perhaps not impossible. "Article XII contains two provisions—First: That all likely to lead to rupture will be sub mitted for decision either to arbitration or to the council. Second: That there shall be no resort to war until three months after the decision.

months after the decision.
"I quote: "The members of the league agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or to inquiry by the council. And they agree in no case to resort to war until three months after the award by the arbitrators or the re-

port by the council.' (Article XII.)
"It will be noticed that the provisions
of Article XII seem to be limited to
'Any dispute likely to lead to rupture.' "The provisions of Article XIII. are much broader. By its terms the men any dispute shall arise between them which they recognize to be suitable for submission to arbitration they will arbi-trate the whole subject matter.'

"It is then expressly declared that, rst, 'disputes as to the interpretation of treaties'; second, 'disputes as to any question of international law'; third, disputes as to the existence of any fact ointment of the representatives of the breach of any international obligation "(4) Disputes as to the extent and any such breach of international obligations are declared to be 'among those

> sion to arbitration. "The above language clearly includes almost every international question and dispute, including disputes involving the vital interests of the representative countries. Indeed, it is difficult to conceive of any question which can arise between nations which is not embraced within the terms set forth. When we enter the league we therefore solemnly agree that all these questions are arbitral, and we will submit that to either the decision of the board or court of arbitration of the council of the league.

"Qualifications Are Made."

"So far so good. Up to this point the tribunal of decision is either a court party in interest it is denied the right of arbitration or the council of the league, but Article XV, qualifies and to ccuncil it is determined by the members of that body not concerned in the a large extent number at dispute.

visions for submission to arbitration or dispute.

"2—If the case in which the United by "2—If the case in whic to the council. This is accomplished by

three provisions:
"I. By the provision which permits "2. By the provision which permits either party

diration as above (viz. as provided in Articles XII. and XIII.), the members of the learning to the result of the learning to the result of the learning to the result of the result of

four can be removed to the assembly by to either give to a decision by the assembly the effect of a unanimous desembly the effect of a unanimous de-

motion transfer the dispute to the as- decision utterly nugatory. pute to the council by simply making a request for transfer to the assembly. The governing language of the section is: The council may in any case under this article refer the dispute to the as-sembly. The dispute shall be so re-ferred at the request of either party to the dispute, provided such request be made within fourteen days after the sub-

"Following the provisions through it

1. That there is an agreement to arbitrate or to refer to the council "2. Either party may send the case of the council by a simple notice. "S. Upon request of either party the case must be removed to the assembly

Assembly Final Authority.

"In the last analysis therefore the disputes mentioned in these important ar-ticles need not be and probably will not be decided by a board or court of arbitrators. Neither will they be decided by the council. The assembly will by every probability be the final and authorita-tive body which will render the de-

Senator Borah—Precisely: but it is majority vote of the assembly employed to deed successors every one of whom to elect successors every one of whom the parties will appeal to the Assembly.

The President—That is my interpretation.

When the controversy between the United States.

When the controversy between the United States and Great Britain then Senator Borah—There is no moral obcame before the council we would find to have a natural advantage in the council to have a natural advantage. ourselves and Great Britain excluded because of interests, but Great Britain thaving in the hollow of her hand the its case into the Assembly, unless indeed it may know that body to be sinfilarly

> "The case put may appear extreme, but eareful consideration will show that it is not at all overdrawn. The conduct of the various nations at the peace continuous continuous and the peace continuous co ference demonstrates that each of the European and Asiatic nations are controlled alone by self-interests. They are not disturbed by the Illusion of idealism. In order to gain their ends they did not hesitate to make according to concur in the unanimous decisions of the council may be completely nullified by any fourteen non-council members of the assembly idealism. In order to gain their ends refusing to concur in the unanimous decision of the members of the council members of the council cigion of the of the c

negative vote might count "If the report by the council (upon disputes arising under sections 12, 13 country, like our own, is barred from voting. The case proceeds to judgment

shrawd politicies will continue to operate. and 14) is unanimously agreed to by the From the moment the league is organized members thereof, other than the represerve in the process of its organization, sentatives of one or more of the parties The seven members of the council sittle as members of the assembly are close to the dispute, the members of the league attached to Japan or to Great ; agree that they will not go to war with the friend and ally of Japan any party to the dispute which complies members of the council sitting with the recommendations of the report.' (Article XV.)

then the right is reserved to any State the assembly who are not members of to go to war if it sees fit. The ian-

port which is unanmiously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves the of right and justice,' (Article XV.)

fatal votes, and that Siam, a vassal is deitmost is influence, has added another fatal ay be deciscene. We hear called the names of "Clearly, therefore, a unanimous de-cision by the council is of the utmost importance in order that war may be prevented, for if there is not such deci-sion the nations may immediately go to war. Yet with the situation just described staring us in the face we find not be said that we can offset it the provision for the removal of the Britain's six votes with our sincle of the dispute to the assembly.

"When the controvery goes to the as-sembly in order that its decision may have the effect of a unanimous decision of the council, the unanimous vote of embers of the council-barring the lisputants-must be secured and also a majority of the non-council members of the assembly. If that majority is not secured then the case stands as it would if it had remained in the council and that body had falled to unanimously

ugree. The governing language is:
"In the absence of a majority v by the non-council members of the assembly the case then is in exactly the condition as it would have been had it remained in the council and that body had failed to reach a unani decision.' "What then would be the situation?

It is as I have already said, provided:
"If the council fails to reach a report which is unanimously agreed to by the nembers thereof, other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves any such action as they shall consider necessary for the maintenance of right and justice.' (Art. XIII.) "That is to say, in the absence of a

erty to go to war to enforce its claims or demands. It may take such action or demands. It may take such action as it shall consider necessary for the maintenance of right and justice. "Of course every nation going to war claims to be going to maintain right and

unanimous decision any nation is at lib-

"If it be true that the United States can always with its one vote offset the six votes of the British Empire, then it is equally true that with one vote the United States can offset the vote of the other thirty-one members of the league. The President's view is that except upon the single question of the admission of new States the single vote of the United States can bar any action whatsoever by either the council or the assembly.
"It grieves me to be compelled to dif-fer from the President, but with all due

respect I must insist that the President's statement is erroneous to the last de-gree. He utterly overlooks many conrolling clauses of the agreement which he is now asking the American people to accept without proper time for debate

or consideration, "1-That when the United States is a all these pro- bers of that body not concerned in the

States is interested is removed to as-sembly again the United States as a these nations would voluntarily relinquish its place upon the council, and it could not be ousted from that place so long as it refuses to consent to its own that it shall be sent to the council. create the necessary majority of the non-council members which will give to the decision of the assembly the full force and effect of a unanimous deci-

> in favor of Great Britain or they may and thus deprive the United States of

the effect of a unanimous decision. Cannot Be Obscured.

"All this I have sought to elaborate accomplished by either party filing a and demonstrate in the remarks hereto-simple notice. Thus the dispute is trans-ferred from a tribunal of arbitration to the ability to command twelve votes out of the twenty-three non-council The case being now in the council, it members of the assembly is the power "First—The council may upon its own cision of the council or to render such

> "What are the controversies which are what are the controverses which are to be thrown in the assembly on which being a party to the dispute we cannot sit and therefore cannot east the one precious vote which would negative all other efforts and to which the President of the controverse which would negative all other efforts and to which the President of the controverse which would be controverse which are taken to the fourthers that the first controverse which are taken to be a state of the controverse which are taken to be a state of the controverse which are taken to be a state of the controverse which are to be a state of the controverse which are to be a state of the controverse which are to be a state of the controverse which are to be a state of the controverse which are to be a state of the controverse which are to be a state of the controverse which would be a state of the controverse w dent so impressively refers?
> "The controversies are 'any dispute

likely to lead to a rupture'-Article XII. between the United States and any other country; 'all disputes as to the interpretation of a treaty as to any question of international law as to the existence of any fact which if estab-lished would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be slightest affectation, the given made for any such breach. . . . for the United States; but

assembly for decision. "Again I repeat, when he are parties ment greater than that disputant we do not sit. We have neither the Fathers, haptized in voice nor vote. We are on trial. We patriots from the lane of the parties litigant, if indeed we are the forest of the Argonne, not halled before the tribunal like a the tears of all the me prisoner brought to the bar of a crim- heroic sons went down in al court. We therefore do not sit in tain its glory and i

for in that case we are not permitted to vote at all.
"If it be argued that the picture is dark, I answer that every page of his tory is black with similar pictures of selfishness, perfidy and double dealing When the President was talking about his fourteen points and the establish ment of international Justice Great Bri tain and Japan were secretly plotting Chinese laborers were expiring in the trenches beneath the blast of German artillery in the cause of the Allies the fatherland was being parcelled out by their associates in the war and their sacred cities surrendered to their great rival and antagonist,

is not yet lost if we can secure

dismay that five of these votes we

by British dominions and colonies

lowing the lead and answering to be dictates of the Imperial Government.

"We also learn that the represent

Liberia, Hayti and the other semi-bar

twelve of the twenty-three

"At the very time the President is sisted that our soldiers were going over the trenches inspired by visions of wor fustice and dreaming the dream that the when they were dying beside British sol Glers in the cause of Great Britain, Reish statesmen were concealing from the President the abominable and crue treaties which Japan and Italy wrough cut in the secret plottings and conspira-cies of their diplomate.
"It assumes general jurisdiction and control over all international bureaus

regulation of matters of international is terest (Article XXIV.) and commissions now established for the "It agrees to promote the establish

ment of Red Cross organizations to prevent disease throughout the world.' (Article XXV.) On top of all these powers and as a cap sheaf I call attention to Article XI. which provides:

"'Any war or threat of war, whether immediately affecting any members of the league or not, is hereby declared a matter of concern to the whole leagu and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary-General shall, on the reque of any member of the league, forthwith

summon a meeting of the council.
"It is also declared to be the funds mental right of each member of the league to bring to the attention of the assembly or of the council any or comstances whatever affecting internations relations which threatens between nations upon which peace d

Right Granted to Others.

"The true construction of this article its purpose and effect, was disclosed in

the covenant of the League of Nations

'Very true, but at the same tir

same as they bind all other nations. When they grant to us the right to 'attend to their business' we likewise, grant to them the right to 'attend to our business'. our business. "When George Washington compelled Cornwallis to haul down the flag of Great Britain at Yorktown he estab-

lished the right of the American cit-"When Woodrow Wilson left the peace table at Versailles he had sought grant the right to attend to America's business to the representatives of thirty-

one allen nations.

Washington fought to establish to right of this nation as a severeign tentrol its own affairs. "Woodrow Wilson counsels with the representatives of kings to transler its sovereignty Washington gained to a league which they will dominate "Dropping into common phrasecles," when America acquires the right is stick her nose into the business of

their thirty-one allen noses' into the "The man who is willing to give to nation or assemblage of right to mind the business of the ican people ought to dischi citizenship and emigrate to he is willing to have no business for her. In this ... speech at Kansas City on 'I have, let me sa "These questions which cover the whole range of our possible international disputes and involve questions vital to our interests may be forced before the citizens. I have come to fight



judgment. We are not qualified for Government of the United

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